

UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF MICHIGAN

In Re:

Case No. DG 09-13717

**MARK A. OSWALD and
NICOLE M. OSWALD,**

Chapter 7; Filed: 11/20/09

Debtors.

Honorable Scott W. Dales

/

MOTION TO COMPEL TURNOVER

NOW COMES Chapter 7 Trustee Jeff A. Moyer (“Trustee”), by and through his attorneys, The Bankruptcy Group, Inc., and states as his Motion to Compel Turnover to the Court the following:

1. On November 20, 2009, Mark A. Oswald and Nicole M. Oswald (“Debtors” or “Oswalds”) filed a voluntary Chapter 7 petition for relief under the Bankruptcy Code.
2. Jeff A. Moyer (“Trustee” or “Movant”) is the duly-appointed, qualified and acting Chapter 7 Trustee in this case.
3. The Trustee has requested turnover from Mr. and Mrs. Oswald and their attorney the amount of \$3,330.54 representing the undisclosed, non-exempt portion of their 2009 IRS and State tax refunds. The Trustee requests turnover of those tax refunds for the benefit of their bankruptcy creditors.
4. The personal property involved is not of inconsequential value nor without benefit to the estate.
5. Mr. and Mrs. Oswald are required to turnover the funds in question to the Trustee and have not yet done so.

WHEREFORE, Trustee Jeff A. Moyer requests this Court to enter an Order granting the following relief:

- A. Requiring the immediate turnover by Mr. and Mrs. Oswald the amount of \$3,330.54 representing the undisclosed, non-exempt portion of their 2009 IRS and State tax refunds; and
- B. Grant such other or further relief as this Court deems just and proper.

Respectfully submitted,

THE BANKRUPTCY GROUP, INC.
Attorneys for Trustee Jeff A. Moyer

Dated: September 30, 2011

By: 
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